

UNITED STATES DISTRICT COURT

for the

## Western District of Washington

In the Matter of the Search of )  
(Briefly describe the property to be searched )  
or identify the person by name and address )  
Subject Parcel, more fully described in Attachment A, )  
attached hereto )  
Case No. MJ21-650 )

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

located in the Western District of Washington, there is now concealed (*identify the person or describe the property to be seized*):

SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

## *Code Section*

### *Offense Description*

Title 21, U.S.C. Section 841(a)(1)  
Title 21, U.S.C. Section 843(b)

Distribution and Possession with Intent to Distribute Controlled Substances  
Unlawful use of a Communication Facility, Including the U.S. mails, to facilitate the distribution of controlled substances

The application is based on these facts:

✓ See Affidavit of OIG US Postal Inspector Kimberly Myhrer

Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented:  by reliable electronic means; or:  telephonically recorded.

by reliable elevating means, or  telephonic  
 *Kelley Jones* *Applicant's signature*

Kimberly Myhrer, US Postal Inspector

*Printed name and title*

- The foregoing affidavit was sworn to before me and signed in my presence, or
- The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 12/13/2021

of the foregoing affidavit by telephone  
Steve Vaughan  
*Judge's signature*

City and state: Seattle, Washington

S. Kate Vaughan, U.S. Magistrate Judge  
*Printed name and title*

1   | **STATE OF WASHINGTON**      )  
2                                      )  
3   | **COUNTY OF KING**              )  
4

## AFFIDAVIT

5   |   I, Kimberly Myhrer being first duly sworn on oath, depose and say:

### BACKGROUND

6   |   1.   **Affiant Background.** I am a United States Postal Inspector, assigned to  
7   |   investigate the unlawful transportation of contraband, including Title 21 controlled  
8   |   substances, through the United States mail. I have been a Postal Inspector since May  
9   |   2015, and am currently assigned to the Seattle Division Headquarters office, located in  
10   |   Seattle, Washington. As part of my duties, I investigate incidents where the U.S. mail  
11   |   system is used for the purpose of transporting illegal materials, including controlled  
12   |   substances such as marijuana, cocaine, methamphetamine and heroin, in violation of Title  
13   |   21, United States Code, Sections 841(a)(1), 843(b), and substances mailed in violation of  
14   |   Title 18, United States Code, Section 1716 (injurious articles). I have completed U.S.  
15   |   Postal Inspection Service (USPIS) Basic Inspector Training in Potomac, Maryland and  
16   |   have received specialized training in the investigation of controlled substances in the U.S.  
17   |   mails. I have also received training on the identification of controlled substances and  
18   |   interdiction of controlled substances.

19   |   2.   **Duties, Training & Experience.** As part of my duties, I investigate the  
20   |   use of the U.S. mails to illegally mail and receive controlled substances, the proceeds of  
21   |   drug trafficking, as well as other instrumentalities associated with drug trafficking, in  
22   |   violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession  
23   |   with intent to distribute controlled substances), and 843(b) (unlawful use of a  
24   |   communication facility, including the U.S. mails, to facilitate the distribution of  
25   |   controlled substances and proceeds from the sale thereof). As set forth below, my  
26   |   training and experience includes identifying parcels with characteristics indicative of  
27   |

1      criminal activity. During the course of my employment with USPIS, I have participated  
2      in many criminal investigations involving suspicious parcels and controlled substances.

3            3.      The information contained in this affidavit is based upon knowledge I  
4      gained from my investigation, my personal observations, my training and experience, and  
5      investigation by other Inspectors, agents, and officers. Because the purpose of this  
6      affidavit is limited to setting forth probable cause to search the SUBJECT PARCEL  
7      described below, I have not set forth every fact of which I am aware pertaining to the  
8      investigation.

9            4.      Through my training and experience, I am aware that the United States  
10     Postal Service (USPS) mail system is often used to transport controlled substances and/or  
11     the proceeds from the sales of controlled substances throughout the United States. I have  
12     learned and observed that sometimes drug traffickers put controlled substances and  
13     proceeds in the same parcel. I also know that drug traffickers prefer mail/delivery  
14     services such as Express and Priority Mail because of the reliability of these services, as  
15     well as the ability to track the article's progress to the intended delivery point. When a  
16     drug trafficker learns that a mailed article has not arrived as scheduled, he/she becomes  
17     suspicious of any delayed attempt to deliver the item.

18            5.      In addition, I am aware that the USPS Express and Priority Mail services  
19     were custom-designed to fit the needs of businesses by providing overnight delivery for  
20     time sensitive materials. Business mailings often contain typewritten labels, are in flat  
21     cardboard mailers, and usually weigh less than eight (8) ounces. In addition, businesses  
22     using corporate charge accounts print their account number on the Express and Priority  
23     Mail label in order to expedite transactions with USPS.

24            6.      Based on my training and experience concerning the use of Express and  
25     Priority Mail for the transportation of controlled substances and/or proceeds from the  
26     sales of controlled substances, I am aware that these parcels usually contain some or all  
27     of the following characteristics (which are different than characteristics of parcels being  
28     sent by legitimate businesses):

- 1 a. Unlike typical Express and Priority Mail business mailings which  
2 usually have typed labels, parcels containing controlled substances  
3 and/or proceeds often have handwritten address information. In  
4 addition, the address information often contains misspelled words or  
conceal the true identities of the individuals involved.
- 5 b. The handwritten label on Express and Priority Mail parcels  
6 containing controlled substances and/or proceeds do not contain a  
7 business account number and/or credit card number. This often  
8 indicates that the sender likely paid cash. A credit card or business  
9 account number would more likely enable law enforcement officers  
to connect the parcel to identifiable individuals.
- 10 c. Express and Priority Mail parcels containing controlled substances  
11 and/or proceeds are often distinguishable from typical business  
12 mailings as they do not bear any advertising on the mailing  
13 container/box, and are typically mailed from one individual to  
another.
- 14 d. The sender and/or recipient addresses on Express and Priority Mail  
15 parcels containing controlled substances and/or proceeds are often  
16 either fictitious, or are persons not associated with the addresses  
listed in USPS or law enforcement databases.
- 17 e. The zip codes for the sender addresses on Express and Priority Mail  
18 parcels containing controlled substances and/or proceeds are often  
19 different from the zip codes of the post offices from where the  
parcels were mailed.
- 20 f. Express and Priority Mail parcels containing controlled substances  
21 and/or proceeds are often heavily taped with tape on the seams of the  
22 parcel, in an apparent effort to conceal scent.
- 23 g. Express and Priority Mail parcels containing controlled substances  
24 and/or proceeds often include a waiver of signature requirement  
upon delivery.

25 7. Inspectors who encounter a parcel with any or all of the above  
26 characteristics often further scrutinize the parcel by, among other tactics, conducting  
27 address verifications using law enforcement databases and conducting trained narcotic-  
28 detecting canine examinations.

## ITEM TO BE SEARCHED

8. As set forth in Attachment A, this affidavit is made in support of an application for a search warrant for one USPS Priority Express Mail parcel, hereinafter referred to as the “SUBJECT PARCEL.” This parcel is believed to contain controlled substances or proceeds from the sale of controlled substances. The SUBJECT PARCEL is further described as follows:

One Priority Express Mail parcel addressed to "Eryn Johnson" with a return address of "4713 NE 1<sup>st</sup> Street, Renton, Wa 98059". This parcel measures approximately 12 1/2" x 9 1/2" with a weight of approximately 4 pounds, 3 ounces. This parcel is postmarked December 7, 2021, from zip code 39701 and carries \$27.10 in postage. The delivery confirmation number is EJ 935 984 525 US.

## ITEMS TO BE SEIZED

9. The application requests that law enforcement officers and agents be authorized to seize the following from the SUBJECT PARCEL, which constitute the fruits, instrumentalities, and evidence of mailing and distribution of controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances):

- a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, Oxycontin; fentanyl, synthetic drugs including those commonly known as “bath salts,” PCP, and LSD;
- b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;
- c. Controlled substance-related paraphernalia;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;

- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

## THE INVESTIGATION

10. On December 9, 2021, U.S. Postal Inspector Bega was performing a Mail interdiction at the United States Postal Service mail facility located at the Seattle Processing and Distribution Center, Tukwila, Washington. The emphasis for the interdiction was targeting outbound Express and/or Priority Mail parcels and envelopes possibly containing narcotics and/or monetary proceeds derived from illegal drug trafficking activity.

11. The SUBJECT PARCEL was initially identified as a suspicious parcel due to different zip codes for the return address from where the SUBJECT PARCEL was initially mailed from; a waiver of signature, and the addressee not reporting to the address listed. As previously described, these are tactics commonly used by drug traffickers using the U.S. mails in an attempt to elude law enforcement.

12. Using USPS and law enforcement databases, I researched the sender name and address listed on the SUBJECT PARCEL. I learned that the address “312 Wintergreen Cove, Col, MS. 39705” is a true and deliverable address. “Col, MS” is Columbus, Mississippi. An individual by the name of “Vanessa Fisher” is associated with “312 Wintergreen Cove, Col, MS. 39705.”

13. Using USPS and law enforcement databases, I also researched the recipient address. I learned that the address “4713 NE 1<sup>st</sup> Street, Renton, Wa 98059” is a true and deliverable address. However, an individual by the name of “Eryn Jackson” is not associated with “4713 NE 1<sup>st</sup> Street, Renton, Wa 98059.”

14. On December 9, 2021, the SUBJECT PARCEL was removed from the mail stream for further investigation. The SUBJECT PARCEL is currently located at the Seattle Processing and Distribution Center, Tukwila, Washington.

1       14. Based upon this information, on December 9, 2021, Inspector Myhrer  
2 requested the assistance of U.S. Customs and Border Protection Canine Officer K.  
3 Johnsons and her canine partner, Remi. Inspector Myhrer placed the SUBJECT PARCEL  
4 in a line with four other “control parcels.” The SUBJECT PARCEL was placed in the  
5 number five position. At approximatly 9:48 am, K9 Officer Johnson applied Remi, a  
6 narcotic-detection dog to the four control parcels as well as the SUBJECT PARCEL.  
7 Officer Johnson observed an immediate change of behavior when Remi approached the  
8 SUBJECT PARCEL. Remi took several deep breaths and sat, indicating the positive odor  
9 of narcotics emitting from the parcel. K9 Officer Johnson’s affidavit describing Remi’s  
10 training and qualifications is attached to this affidavit and incorporated herein by  
11 reference.

## CONCLUSION

13        15. Based on the facts set forth in this Affidavit, as well as the attached  
14 affidavit (incorporated herein by reference) of Officer Johnson, I believe there is  
15 probable cause to conclude that the SUBJECT PARCEL contains controlled substances,  
16 currency, documents, or other evidence, more fully identified in Attachment B, that  
17 relates to the mailing and distribution of controlled substances, in violation of Title 21,  
18 United States Code, Sections 841(a)(1) (distribution and possession with intent to  
19 distribute controlled substances) and 843(b) (unlawful use of a communication facility,  
20 including the U.S. mails, to facilitate the distribution of controlled substances).

K. M. 1

K. Myhrer  
U.S. Postal Inspector, US Postal Inspection Service

25 The above-named agent provided a sworn statement attesting to the truth of the contents of the  
26 foregoing affidavit on December 13th, 2021.

S. Kate Vaughan  
S. KATE VAUGHAN  
U.S. MAGISTRATE JUDGE

**ATTACHMENT A**  
Parcel to be searched

One Priority Express Mail parcel addressed to "Eryn Johnson" with a return address of "4713 NE 1<sup>st</sup> Street, Renton, Wa 98059". This parcel measures approximately 12 1/2" x 9 1/2" with a weight of approximately 4 pounds, 3 ounces. This parcel is postmarked December 7, 2021, from zip code 39701 and carries \$27.10 in postage. The delivery confirmation number is EJ 935 984 525 US.

**ATTACHMENT B**

**Items to be seized**

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section(s) 841(a)(1) and 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

- a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;
- b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;
- c. Controlled substance-related paraphernalia;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.



**U.S. Customs and Border Protection  
Department of Homeland Security**

**Canine Enforcement Office  
19339 28<sup>th</sup> Ave. S. Bldg. D  
Sea-Tac, WA 98188**

## **AFFIDAVIT**

I, Kristina M. Johnson, am a Canine Officer with U.S. Customs and Border Protection, assigned to the Seattle-Tacoma area. My assigned canine, "REMI" (170178) was initially certified with me on April 18, 2018 after successfully completing the U.S. Customs and Border Protection detection Re-Team training. Canine "REMI" was trained to detect the odors of concealed humans, Marijuana, Hashish, Cocaine, Heroin, Methamphetamine, Ecstasy, Fentanyl, and their derivatives. I and canine "REMI" maintain our annual certification through the Customs and Border Protection regulations. This certification is a comprehensive test designed to measure the ability of the dog and the handler in searching for and indicating the presence of controlled substances. This certification consists of searches administered in different environments with a variety of distractions and is designed to duplicate actual field conditions which may be encountered by the canine team. Canine "REMI" must pass 16 of the 17 controlled finds (15 active and 2 blinds) with equates to a 94% or greater accuracy.

I and canine "REMI" participate in maintenance training, which is no less than 16 hours per month. Ongoing training includes:

- Training in all areas of interdiction, such as vehicles, boats, schools, currency, parcels and mail, airports, bus and bus depots, storage units, residences, motels, apartments, etc.
- Training on various quantities of controlled substances, ranging from grams to pounds.
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present
- Conflict training, which proofs the dog and prevents her from alerting to common items associated with controlled substances, such as plastic bags, etc. and/or reward objects or toys

CBP maintains training records of the on-going training. All training records and certifications are constantly maintained and up to date and current. The dogs are given a rating at each training day that is maintained for 90 days.

The ratings for each training day are based on unsatisfactory, poor, fair, average, good or excellent performance. Canine "REMI" has maintained a rating of "Good" over the last 30 days. Canine "REMI" is trained with a passive response/indication (sit or lay down), with various objects (toys) being her reward. Canine "REMI" last certification was June 2, 2021.

On December 9, 2021, at approximately 9:48 AM, CBPO K-9 Johnson and K-9 REMI (170178) searched five packages that were placed in a row in an open parking lot. The parcel line-up contained four control packages and one suspect package, which was placed in position #5. K-9 "REMI." Upon approaching the suspect parcel, K-9 "REMI" stopped and took several deep breaths and sat. When "REMI" sits, it's an indication she can smell the odor of narcotics coming from the parcel. The particulars of the parcel are as follows:

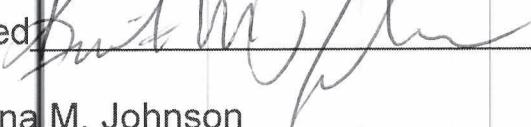
Tracking #: EJ 935 984 525 US

Sender: Vanessa Fisher  
312 Wintergreen Cove  
Col, MS. 39705  
662-497-1220

Recipient: Eryn Jackson  
4713 NE 1<sup>st</sup> Street  
Renton, WA. 98059  
662-574-9934

I have been a Canine Officer since October 2008.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

Signed  Date 09 DEC 2021

Kristina M. Johnson  
Canine Enforcement Officer  
U.S. Customs and Border Protection

Seattle, WA  
(206) 396-1864 (cell)